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REMARKS

Response to Claim Rejections Under 35 U.S.C. §103

Claims 46, 49-52, 75, and 136-139 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Hieshima et al. (U.S. Patent No. 6,063,111, hereinafter Hieshima) in view of Ken et al. (U.S. Patent No. 5,749,891).

Applicants respectfully traverse this rejection. Claim 46 as currently amended recites an elongated containment member that has a relaxed configuration with a transverse dimension over a length thereof which is more than that of the outside transverse dimension of a healthy portion of a patient's aorta adjacent to the aortic aneurysm and is adapted to be disposed about an exterior surface over the aortic aneurysm. Support for this amendment may be found throughout the originally filed disclosure; for example, in Fig. 11B and on page 18, lines 11-20. The containment member resides on the *outside* of the aorta, not on the inside as disclosed in the cited prior art.

Hieshima describes a stent 30 having two strips of films 32 and 34 (Figs. 2 and 2A) which is configured to be inserted *into a patient's aorta* or other blood vessel to support the blood vessel from the *interior*. In other words, Hieshima's stent resides *inside* the blood vessel. Hieshima fails to teach an elongated containment member that has a transverse dimension which is more than that of the outside transverse dimension of a healthy portion of a patient's aorta adjacent to the aortic aneurysm and is adapted to be disposed about an exterior surface over the aortic aneurysm. The stent 30 has smaller transverse dimension (inner diameter) than that of the transverse dimension (inner diameter) of a healthy vessel and disposed *inside* of the vessel as shown Fig. 2A.

Ken discloses a vaso-occlusive device 218 placed within a delivery catheter 210 (Figs. 7A-7D) configured to be deployed within an aneurysmic cavity. However, Ken fails to teach a containment member having a leading length that has an outside transverse dimension which is

more than that of the transverse dimension of a healthy portion of a patient's aorta adjacent to the aortic aneurysm and is adapted to be disposed about an exterior surface over the aortic aneurysm. The leading length of the vaso-occlusive device 218 has smaller transverse dimension (inner diameter) than that of the transverse dimension (inner diameter) of a healthy vessel and disposed inside of an aneurysm as shown Figs. 7A-7D.

Hieshima and Ken, individually and even in combination, fail to teach each and every element of amended claim 46. For these reasons, claim 46 is clearly distinguishable over Hieshima in view of Ken. Applicants therefore respectfully request withdrawal of the 35 U.S.C. §103(a) rejection and allowance of independent claim 46 and the dependent claims which depend therefrom.

Conclusion

Applicants believe that the pending claims as set forth above are directed to patentable subject matter and respectfully request further consideration of the application pursuant to the concurrently filed RCE in view of the above. An early allowance of the claims is earnestly solicited.

Respectfully submitted,

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